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KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

RABANCO LTD., a Washington Corporation,

Plaintiff,

v.

KING COUNTY, a political subdivision of the
State of Washington,

Defendant.

Honorable Douglass North

No. 04-2-06720-1 SEA

STIPULATION AND ORDER OF
DISMISSAL

[CLERK'S ACTION REQUIRED]

1. STIPULATION

1.1 The Parties, Plaintiff Rabanco, Inc. and Defendant King County, through their undersigned counsel, stipulate as follows and to the entry of the following order dismissing all claims asserted by Plaintiff, with prejudice and without an award of fees or costs (collectively, "Stipulation and Order"), subject to conditions as set forth herein.

1.2 For purposes of this Stipulation and Order, Rabanco includes Allied Waste Industries, Inc. and all affiliates thereof including but not limited to Allied Waste North America, Inc.; Rabanco Companies; Rabanco Recycling, Rabanco, Ltd.; and, Regional Disposal Company.

1.3 This matter is before the Court on Plaintiff's Amended Complaint for Declaratory and Injunctive Relief, and First Amended Complaint for Declaratory and Injunction Relief (collectively, the "Complaint").

STIPULATION AND ORDER OF DISMISSAL - 1

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1.4 Plaintiff's injunction bond in this matter, Safeco Insurance Co. Bond No. 6273904 (the "Bond"), and any other bonds posted in this matter, shall be exonerated without any claim made against the Bond or bonds. Defendant releases and waives all claims against the Bond and bonds.


1.5 King County shall pay Rabanco the sum of \$250,000 following entry of this Order of Dismissal, but in no event later than May 9, 2005.


STIPULATION THIS 6TH day of MAY, 2005.

NORM MALENG
PROSECUTING ATTORNEY

FOSTER PEPPER & SHEFELMAN PLLC

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP


P. Stephen DiJulio, WSBA No. 7139
Jeremy R. Larson, WSBA No. 22125
Special Deputy Prosecuting
Attorneys for King County


Kelly Corr, WSBA No. 555
Kevin J. Craig, WSBA No. 29932
Attorneys for Rabanco

2. ORDER

This matter came before the Court on the above Stipulation, and good cause having been shown, IT IS HEREBY ORDERED:

2.1 Plaintiff's Complaint against the Defendant and all claims therein are hereby dismissed in their entirety with prejudice and without right of appeal.


2.2 Plaintiff's injunction Bond in this matter, Safeco Insurance Co. Bond No. 6273904, and any other bond posted in this matter, are exonerated and released without any claim made against the Bond or bonds.

2.3 King County shall pay Rabanco the sum of \$250,000 following entry of this Order of Dismissal, but in no event later than May 9, 2005.

STIPULATION AND ORDER OF DISMISSAL - 2

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1 2.4 This matter having been resolved prior to trial, costs are waived as to the parties.
2 Done in Open Court this 6th day of May, 2005.

3 
4 Honorable Douglass A. North
5 Judge, King County Superior Court

6 STIPULATION TO AND
PRESENTATION BY:


7 NORM MALENG
8 PROSECUTING ATTORNEY

9 FOSTER PEPPER & SHEFELMAN PLLC

10 
11 P. Stephen DiJulio, WSBA No. 7139
12 Jeremy R. Larson, WSBA No. 22125
13 Special Deputy Prosecuting
Attorneys for King County

14 APPROVED AS TO FORM;
STIPULATION TO ENTRY:

15 CORR CRONIN MICHELSON
16 BAUMGARDNER & PREECE LLP

17 
18 Kelly Corr, WSBA No. 555
19 Kevin J. Craig, WSBA No. 29932
Attorneys for Rabanco

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STIPULATION AND ORDER OF DISMISSAL - 3

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